

Exhibit 86:

MSP Letter to Registrants Re SORA [MSP 747-751; 744-746]



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

COL. JOSEPH M. GASPER
DIRECTOR

March 24, 2021

[Offender Full Name]
[Street Address]
[City, State, Zip Code]

Subject: [RSO#]

On December 31, 2020, the Michigan Sex Offenders Registration Act (SORA) was amended to substantially conform its requirements to the federal Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006, as amended. See Public Act 295 of 2020.

You are receiving this correspondence because you are a registered individual under Michigan's amended SORA law based on the information maintained by the Michigan State Police's Sex Offender Registry Unit. This correspondence summarizes the major changes within the SORA that affect your registration responsibilities. **These changes take effect on March 24, 2021.** A more detailed explanation of your reporting obligations will be provided to you at your next verification period.

STUDENT SAFETY ZONES

The requirements that registered individuals not live, work, or loiter within 1000 feet of school property have been eliminated. See Public Act 295 of 2020, repealing MCL 28.733, 28.734, 28.735, and 28.736.

PUBLIC NATURE OF THE TIERING

The amended law also eliminates the publishing of the registrant's tiering on the public internet website. MCL 28.728(3)(e) ("The following information must not be made available on the public internet website described in subsection (2): . . . (e) *The individual's tier classification.*") (emphasis added).

REGISTERING AND REPORTING EMAIL AND INTERNET IDENTIFIERS

The amended law further provides that the obligations to register and report all electronic mail addresses and internet identifiers registered to or used by an individual only applies to individuals required to be registered under the Act after July 1, 2011. MCL 28.725(2)(a), 28.727(1)(i). In other words, individuals who were required to be registered under the Act prior to July 1, 2011, and who have committed no registrable offense since, have no obligation to register or report electronic mail addresses or internet identifiers under the amended law.

REPORTING OBLIGATIONS UNDER § 28.725 OF THE SORA

Under MCL 28.725(1), registered individuals must update their status for changes in residence or domicile, employment, enrollment as student, or name **in person** at the registering authority having jurisdiction over his or her residence **not more than three business days** after the change. MCL 28.725(1) (emphasis added).

Under MCL 28.725(2), registered individuals must update a change to their vehicle information, electronic mail addresses, internet identifiers, telephone numbers, or temporary residence **not more than three business days** after the change in the **manner prescribed by the Michigan State Police**. MCL 28.725(2).

MICHIGAN STATE POLICE HEADQUARTERS • 7150 HARRIS DRIVE • DIMONDALE, MICHIGAN 48821

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www.michigan.gov/msp

MANNER PRESCRIBED BY THE MICHIGAN STATE POLICE UNDER § 28.725(2) OF SORA

Under MCL 28.725(2), registered individuals must update a change to their vehicle information, electronic mail addresses, internet identifiers, telephone numbers, or temporary residence **not more than three business days** after the change in the following manner:

First class mail to the registering authority having jurisdiction over the registered individual's residence that provides updated information regarding the following:

- (a) any change in vehicle information,
electronic mail addresses,
internet identifiers, or
telephone numbers registered to or used by the individual.

(The requirement to report any change in electronic mail addresses and internet identifiers applies only to an individual required to be registered under this Act after July 1, 2011.) [MCL 28.725(2)(a).]

- (b) The individual intends to temporarily reside at any place other than his or her residence for more than 7 days. [MCL 28.725(2)(b).]

A copy of the Michigan State Police form (**RI-004A**) is included in this notification, which also provides an explanation of your duties.

Also, the form from the Michigan State Police (**RI-004A**) may be accessed by downloading it from the following website:

www.Michigan.gov/MSPforms

The letter must be postmarked no later than three business days after the date of the change.

Alternatively, the form may be dropped off, or the information may be provided, in person at the registering authority having jurisdiction over the registered individual's residence no later than three business days after the date of the change. But there is no requirement to drop off the updated information in person.

THE FORM SHOULD NOT BE MAILED TO THE MICHIGAN STATE POLICE SEX OFFENDER REGISTRY UNIT IN LANSING.

CLARIFICATIONS REGARDING TELEPHONE NUMBERS, ELECTRONIC MAIL ADDRESSES AND INTERNET IDENTIFIERS, AND VEHICLE INFORMATION

Under MCL 28.722(g), the amended law provides that the term 'internet identifier' means 'all designations used for self-identification or routing in internet communications or posting.'

Under MCL 28.727(1), registered individuals must provide all the following information for registration purposes, with changes to (h), (i), and (j):

- (a) The individual's legal name and any aliases, nicknames, ethnic or tribal names, or other names by which the individual is or has been known. An individual who is in a witness protection and relocation program is only required to use the name and identifying information reflecting his or her new identity in a registration under this act. The registration and compilation databases must not contain any information identifying the individual's prior identity or locale.
- (b) The individual's Social Security number and any Social Security numbers or alleged Social Security numbers previously used by the individual.
- (c) The individual's date of birth and any alleged dates of birth previously used by the individual.

- (d) The address where the individual resides or will reside. If the individual does not have a residential address, information under this subsection must identify the location or area used or to be used by the individual in lieu of a residence or, if the individual is homeless, the village, city, or township where the person spends or will spend the majority of his or her time.
- (e) The name and address of any place of temporary lodging used or to be used by the individual during any period in which the individual is away, or is expected to be away, from his or her residence for more than 7 days. Information under this subdivision must include the dates the lodging is used or to be used.
- (f) The name and address of each of the individual's employers. For purposes of this subdivision, 'employer' includes a contractor and any individual who has agreed to hire or contract with the individual for his or her services. Information under this subsection must include the address or location of employment if different from the address of the employer. If the individual lacks a fixed employment location, the information obtained under this subdivision must include the general areas where the individual works and the normal travel routes taken by the individual in the course of his or her employment.
- (g) The name and address of any school being attended by the individual and any school that has accepted the individual as a student that he or she plans to attend. For purposes of this subdivision, 'school' means a public or private postsecondary school or school of higher education, including a trade school.
- (h) All telephone numbers registered to the individual or used by the individual, including, but not limited to, residential, work, and mobile telephone numbers.
- (i) Except as otherwise provided in this subdivision, all electronic mail addresses and internet identifiers registered to or used by the individual. This subdivision applies only to an individual required to be registered under this act after July 1, 2011.
- (j) The license plate number and description of any vehicle owned or operated by the individual.
- (k) The individual's driver license number or state personal identification card number.
- (l) A digital copy of the individual's passport and other immigration documents.
- (m) The individual's occupational and professional licensing information, including any license that authorizes the individual to engage in any occupation, profession, trade, or business.
- (n) A brief summary of the individual's convictions for listed offenses regardless of when the conviction occurred, including where the offense occurred and the original charge if the conviction was for a lesser offense.
- (o) A complete physical description of the individual.
- (p) The photograph required under section 5a.
- (q) The individual's fingerprints if not already on file with the department and the individual's palm prints. An individual required to be registered under this act shall have his or her fingerprints or palmprints or both taken not later than September 12, 2011 if his or her fingerprints or palmprints are not already on file with the department. The department shall forward a copy of the individual's fingerprints and palm prints to the Federal Bureau of Investigation if not already on file with that bureau.
- (r) Information that is required to be reported under section 4a. [MCL 28.727(1).]

ASSIGNED TO YOUTHFUL TRAINEE STATUS

Under MCL 28.722(a), an individual does not have a registerable conviction for purposes of the SORA when assigned to youthful trainee status under the Holmes Youthful Trainee Act (HYTA) unless that individual fails to successfully complete a term of supervision:

(a) 'Convicted' means 1 of the following:

- (i) Having a judgment of conviction or a probation order entered in any court having jurisdiction over criminal offenses, including, but not limited to, a tribal court or a military court. Convicted does not include a conviction that was subsequently set aside under 1965 PA 213, MCL 780.621 to 780.624, or otherwise expunged.
- (ii) Except as otherwise provided in this subparagraph, being assigned to youthful trainee status under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, before October 1, 2004. An individual who is assigned to and successfully completes a term of supervision under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, is not convicted for purposes of this act. This subparagraph does not apply if a petition was granted under section 8c at any time allowing the individual to discontinue registration under this act, including a reduced registration period that extends to or past July 1, 2011, regardless of the tier designation that would apply on and after that date.
- (iii) Having an order of disposition entered under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, that is open to the general public under section 28 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.28, if both of the following apply:
 - (A) The individual was 14 years of age or older at the time of the offense.
 - (B) The order of disposition is for the commission of an offense that would classify the individual as a tier III offender.
- (iv) Having an order of disposition or other adjudication in a juvenile matter in another state or country if both of the following apply:
 - (A) The individual is 14 years of age or older at the time of the offense.
 - (B) The order of disposition or other adjudication is for the commission of an offense that would classify the individual as a tier III offender.

[MCL 28.722(a).]

CONVICTIONS THAT HAVE BEEN EXPUNGED

Under MCL 28.725(16), for an individual who has had his or her conviction set aside or otherwise expunged, the individual may present that order to the Michigan State Police or the appropriate registering authority having jurisdiction over his or her residence to have the registration discontinued:

If an individual required to be registered under this act presents an order to the department or the appropriate registering authority that the conviction or adjudication for which the individual is required to be registered under this act has been set aside under 1965 PA 213, MCL 780.621 to 780.624, or has been otherwise expunged, his or her registration under this act must be discontinued. If this subsection applies, the department shall remove the individual from both the law enforcement database and the public internet website maintained under section 8.

[MCL 28.725(16).]

EXCEPTION TO MAINTAIN STATE IDENTIFICATION FOR HOMELESS PERSONS

Under MCL 28.725a(7), a registered individual who is homeless does not have to maintain a driver's license or state identification card:

(7) Except as otherwise provided in this subsection, an individual required to be registered under this act shall maintain either a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, with the individual's current address. The license or card may be used as proof of domicile or residence under this section. In addition, the officer or authorized employee may require the individual to produce another document bearing his or her name and address, including, but not limited to, voter registration or a utility or other bill. The department may specify other satisfactory proof of domicile or residence. The requirement to maintain a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, does not apply to an individual required to be registered under this act who is homeless. As used in this subsection, 'homeless' means someone who lacks a fixed or temporary residence.

[MCL 28.725a(7).]

An explanation of your duties to register as a sex offender will be provided to you at your next verification period. Please review the information carefully and familiarize yourself with the changes to the SORA.

If you have any questions regarding the amendments to the SORA or your reporting obligations, you may contact your legal counsel or the registering authority having jurisdiction over your residence, which is the local police agency, county sheriff, or local Michigan State Police post.

You may wish to retain this letter for future reference.

Sincerely,
Sex Offender Registry Unit

MICHIGAN SEX OFFENDER REGISTRY MAIL-IN UPDATE

I. Offender Information						
Last Name	First Name		Middle Name		Suffix	
Race	Date of Birth		Sex		Last Verification Date	
Registration Number			Michigan Department of Corrections Number			
II. Temporary Residence Information						
Address		City		State	ZIP Code	Start Date
III. Contact Information						
Telephone Number #1	Phone Type		Telephone Number #2			Phone Type
The following email/internet information is only collected for those with offenses committed on or after July 1, 2011 . For each account enter either "Email", followed by the full email address, or enter the name of the internet identifier, followed by the username or screen name						
Email/Internet Identifier #1	User/Screen Name		Email/Internet Identifier #2			User/Screen Name
Email/Internet Identifier #3	User/Screen Name		Email/Internet Identifier #4			User/Screen Name
Email/Internet Identifier #5	User/Screen Name		Email/Internet Identifier #6			User/Screen Name
IV. Vehicle(s)						
Make	Model	Style	Color	Year	License	State VIN
Make	Model	Style	Color	Year	License	State VIN
Make	Model	Style	Color	Year	License	State VIN
V. Mobile Home(s)						
Make	Model	Style	Color	Year	License	State VIN

PLEASE READ CAREFULLY BEFORE SIGNING

I have reviewed my registration information and have verified the information is accurate and complete. I understand that willfully failing to comply with the requirements of the Sex Offenders Registration Act or knowingly providing false information is a crime and may result in criminal prosecution.

I acknowledge that I have been provided a written notice explaining my registration duties. I have read the "Explanation of Duties to Register as a Sex Offender" listed on pages two and three of this form and/or had them read to me and I understand my registration duties.

SIGNATURES

Signature of Offender

Signature of Parent, Legal Guardian, or Power of Attorney, if applicable

Date

Print, sign, and submit completed form via first class mail to local law enforcement agency, sheriff's office, or Michigan State Police post.

EXPLANATION OF DUTIES TO REGISTER AS A SEX OFFENDER

Each duty on this list is followed by the specific section of Michigan Complied Law (MCL) which requires that specific duty.

1. I am required by law to register as a sex offender. Failure to register as required by law is a felony and may result in prosecution under Michigan Compiled Law (MCL) 28.729(1).
 - a. If I am a Tier I offender, I must register for 15 years. MCL 28.725(11)
 - b. If I am a Tier II offender, I must register for 25 years. MCL 28.725(12)
 - c. If I am a Tier III offender, I must register for the remainder of my life. MCL 28.725(13)
 - d. I understand my registration period excludes all period(s) of incarceration. MCL 28.725(14)
2. I am required to sign the required registration form(s). Failure to sign the required registration form(s) is a misdemeanor and may result in criminal prosecution.
3. I am required by law to verify my address by reporting in-person and providing proof of residency at a local law enforcement agency, sheriff's office, or Michigan State Police post that has jurisdiction over my residence. Failure to verify my address as required by law is a misdemeanor and may result in prosecution.
 - a. If I am a Tier I offender, I am required by law to verify my address once every year during my month of birth. MCL 28.725a(3)(a)
 - b. If I am a Tier II offender, I am required by law to verify my address twice each year according to the following schedule: MCL 28.725a(3)(b)

<u>Birth Month</u>	<u>Reporting Months</u>	<u>Birth Month</u>	<u>Reporting Months</u>
January	January and July	July	January and July
February	February and August	August	February and August
March	March and September	September	March and September
April	April and October	October	April and October
May	May and November	November	May and November
June	June and December	December	June and December

- c. If I am a Tier III offender, I am required by law to verify my address four times each year according to the following schedule: MCL 28.725a(3)(c)

<u>Birth Month</u>	<u>Reporting Months</u>	<u>Birth Month</u>	<u>Reporting Months</u>
January	January, April, July, and October	July	January, April, July, and October
February	February, May, August, and November	August	February, May, August, and November
March	March, June, September, and December	September	March, June, September, and December
April	January, April, July, and October	October	January, April, July, and October
May	February, May, August, and November	November	February, May, August, and November
June	March, June, September and, December	December	March, June, September and, December

4. Upon registering as a sex offender, I am required by law to provide the following information:
 - a. My legal name and any aliases, nicknames, tribal names, ethnic names, and any other name by which I have been known. MCL 28.727(1)(a)
 - b. My social security number and any social security numbers or alleged security number that I have previously used. MCL 28.727(1)(b)
 - c. My date of birth and any alleged dates of birth that I have previously used. MCL 28.727(1)(c)
 - d. The address where I reside or will reside. If I do not have a residential address, then I must provide the location that I use in lieu of a residence. If I am homeless, then I must provide the name of the village, city, or township where I spend or will spend the majority of my time. MCL 28.727(1)(d)
 - e. The name and address of any temporary lodging used or to be used when I am away from my residence for more than seven days. MCL 28.727(1)(e)
 - f. The name and address of each of my employers. "Employers" includes contractors. If my employment location is not in a fixed location, then I must provide the general areas where I work and the normal travel routes that I take while working. MCL 28.727(1)(f)
 - g. The name and address of any school that I attend or that has accepted me if I plan to attend. MCL 28.727(1)(g)
 - h. All telephone numbers registered to me or used by me, including, but not limited to, residential, work, and mobile telephone numbers. MCL 28.727(1)(h)
 - i. All electronic mail (email) addresses and internet identifiers registered to me or used by me. *This section only applies to individuals with offenses committed on or after July 1, 2011.* MCL 28.727(1)(i) (Internet identifiers means all designations used for self-identification or routing in internet communications or posting. MCL 28.722(g))
 - j. The license plate number and description of any vehicle that I own or operate. MCL 28.727(1)(j)
 - k. My passport and all other immigration documents that I may have. MCL 28.727(1)(l)
 - l. All occupational and professional licensing information that I may have. MCL 28.727(1)(m)

5. During my verification periods, I am required by law to review all of my registration information for accuracy. MCL 28.725a(4)
6. I am required by law to report in person not more than three business days after to a local law enforcement agency, sheriff's office, or Michigan State Police post having jurisdiction over my residence, all of the following:
 - a. My new address after changing or vacating my residence within the state of Michigan. If I am homeless or lack a fixed or temporary residence, I am required by law to provide the village, city, or township where I spend the majority of my time. MCL 28.725(1)(a) and MCL 28.727(1)(d)
 - b. The name and address of my employer upon obtaining, changing, or discontinuing employment, including volunteer work. MCL 28.725(1)(b)
 - c. The name and location of the school upon enrolling or discontinuing enrollment at an institution of higher learning. MCL 28.725(1)(c)
 - d. My new name upon changing my name. MCL 28.725(1)(d)
7. I am required by law to notify in person a local law enforcement agency, sheriff's office, or Michigan State Police post having jurisdiction over my residence not more than three business days before if I change my residence to another state. I shall indicate the new state and, if known, the new address. MCL 28.725(7)
8. If I am not a resident of the state of Michigan but my place of employment is in Michigan, I am required by law to report, not more than three business days after a change of my place of employment or the discontinuation of my employment. MCL 28.725(3)
9. I am required by law to report, not more than three business days after the change, by first class mail to a local law enforcement agency, sheriff's office, or Michigan State Police post having jurisdiction over my residence, all of the following:
 - a. My temporary address and dates of travel if I intend to temporarily reside at any place other than my residence for more than seven days. MCL 28.725(2)(b) and MCL 28.727(1)(e)
 - b. Any electronic mail (email) addresses and internet identifiers registered to me or used by me. *This section only applies to individuals with offenses committed on or after July 1, 2011.* MCL 28.725(2)(a)
 - c. The license plate number and description of any vehicle that I own or operate. MCL 28.725(2)(a)
 - d. All telephone numbers registered to me or used by me, including, but not limited to, residential, work, and mobile telephone numbers. MCL 28.725(2)(a)
10. I am required by law to provide my new or temporary address by reporting in person to a local law enforcement agency, sheriff's office, or Michigan State Police post having jurisdiction over my residence 21 days prior to traveling to another country for more than seven days or changing my residence to another country. Failure to report this information is a felony and may result in criminal prosecution. MCL 28.725(8)
11. The Michigan Department of Corrections may not release me until I provide the address of my proposed place of residence. A county jail located within Michigan will not release me until I provide the address of my proposed place of residence. MCL 28.725(4) and MCL 28.725(5)
12. I am required by law to maintain either a valid Michigan operator's or chauffeur's license or Michigan personal identification card with a digitized photograph. This card may be used as proof of residency. *This does not apply to an individual required to be registered under this act who is homeless as outlined in MCL 28.725a(7).*
Other proof of residency may be required, such as a voter registration card, utility bill, or other bill. Unless otherwise specified by law, my digitized photograph will be included on the public sex offender registry website. Failure to maintain the proper identification is a misdemeanor and may result in criminal prosecution. MCL 28.725a(7) and MCL 28.725a(8)
13. I am required by law to pay a \$50.00 registration fee at the time of my initial registration and annually following the year of initial registration. The payment of the annual registration fee shall be paid at the time I report during the first verification reporting month for me unless I elect to prepay the annual registration fee for any future year for which an annual registration fee is required. Prepaying my annual registration fee does not change or alter my reporting requirements as detailed in section 3 above. The sum of the amounts paid under this section shall not exceed \$550.00. If I am determined to be indigent by the collecting agency, this fee will be temporarily waived for 90 days. Failure to pay the registration fee is a misdemeanor and may result in criminal prosecution. MCL 28.725a(6) MCL 28.724a(5), and MCL 28.725b(3)
14. I am required by law to have my fingerprints and palm prints taken if they are not already on file with the department of State Police. Those fingerprints and palm prints will be forwarded to the Federal Bureau of Investigation if they are not already on file with the Federal Bureau of Investigation. I must be reprinted if my fingerprints or palm prints were expunged and/or returned to me. MCL 28.727(1) (q)
15. It is a felony to knowingly provide false or misleading information concerning a registration, notice, or verification, and doing so may result in prosecution. MCL 28.727(6)
16. I acknowledge that I have read the above requirements and/or had them read to me.